Reg. No. GR/RNP/GOA/32

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Panaji, 25th March, 2010 (Chaitra 4, 1932)

SERIES I No. 52

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

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GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

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Notification

3/5/M&F/NOTI/20/2009-10/D.Agri/742

Order S. O. No. 2802(E) dated 3rd November, 2009 published in the Gazette of India (Extraordinary) Part II, Section 3, sub-section (*ii*) is hereby published for general information of the public.

By order and in the name of the Governor of Goa.

S. S. P. Tendulkar, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 12th March, 2010.

———————

MINISTRY OF AGRICULTURE

(Department of Agriculture and Co-operation)

Order

New Delhi, the 3rd November, 2009

S. O. 2802(E).— In pursuance of clause 20A of the Fertilizer (Control) Order, 1985, the Central Government hereby fixes the specifications in respect of the following provisional fertilizer to be manufactured by M/s. Fertilizer and Chemical Travancore (FACT) Ltd., Kerala for a period of three years from the date of publication of this notification in the Official Gazette, namely:—

Ammonium Phosphate Sulphate fortified with Zinc (20:20:0:13:0.3)

(i) Moisture, per cent. by weight, maximum 1.0

(ii) Total Nitrogen, per cent. by weight, minimum 20.0

(iii) Ammonical Nitrogen, per cent. by weight, minimum 18.0

(iv) Nitrogen in the form of urea, per cent. by weight, maximum 2.0

(v) Neutral Ammonium Citrate Soluble Phosphates (as P_2O_5) per cent. by weight, minimum 20.0

(vi) Water soluble Phosphates (as P_2O_5) per cent. by weight, minimum 17.0

(vii) Zinc (as Zn) per cent. by weight, minimum 0.3

(viii) Sulphur (as S) per cent. by weight, minimum 13.0

(ix) Particle size – Not less than 90 per cent. of the material shall pass through 4 mm IS sieve and shall be retained on 1 mm IS sieve. Not more than 5 per cent. shall be below 1 mm IS sieve.

[F. No. 2-2/2009-Fert. Law]
PANKAJ KUMAR, Jt Secy.

———♦♦♦———

Department of Forest

—

Order

4/3/2009/FOR

Sanction of the Government is hereby conveyed for creation of one post of Electrician in Bondla Zoo in the Forest Department in the scale of Rs. 5,200-20,000+Grade Pay Rs. 1,900/-.

The expenditure is to be debited to the Budget Head 2406 – Forestry & Wildlife, 02–Environment Forest & Wildlife, 110–Wildlife Preservation, 09–Wildlife Management & Research (NP), 01–Salaries.

This issues with the concurrence of Finance Department vide their U. O. No. Rev. & Cont./5045-F dated 13-10-2009 and approval of ARD vide their U. O. No. 751/F dated 31-7-2009.

By order and in the name of the Governor of Goa.

Maria J. R. Pires, Under Secretary (Forests).

Porvorim, 15th March, 2010.

Goa Legislature Secretariat

LA/LEGN/2010/3751

The following bill which was introduced in the Legislative Assembly of the State of Goa on 23rd March, 2010 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Appropriation Bill, 2010

(Bill No. 2 of 2010)

A

BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 2009-10.

Be it enacted by the Legislative Assembly of Goa in the Sixty-first Year of the Republic of India, as follows:–

1. Short title.— This Act may be called the Goa Appropriation Act, 2010.

2. Issue of Rs. 193,38,94,000 out of the Consolidated Fund of the State of Goa for the financial year 2009-10.— From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column (5) of the Schedule hereto amounting in the aggregate to the sums of *one hundred ninety three crores, thirty eight lakhs, ninety four thousand rupees* towards defraying the several charges which will come in the course of payment during the financial year 2009-2010 in respect of the services and purposes specified in column (2) of the said Schedule.

3. Appropriation.— The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Goa under this Act, shall be appropriated for the services and purposes expressed in the said Schedule in relation to the said financial year.

SCHEDULE

(*See* Sections 2 and 3)

(Rs. in lakhs)

Demand No.	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the State of Goa	Total
(1)	(2)	(3)	(4)	(5)
A1	Raj Bhavan *(Charged)*	—	*14.33*	14.33
02	General Administration and Coordination	50.00	—	50.00
03	District and Sessions Court, North Goa	116.75	—	116.75
04	District and Sessions Court, South Goa	155.97	—	155.97
05	Prosecution	22.00	—	22.00
07	Settlement and Land Records	104.00	—	104.00
08	Treasury and Accounts Administration, North Goa	235.43	—	235.43
09	Treasury and Accounts Administration, South Goa	18.00	—	18.00
15	Collectorate, North Goa	190.00	—	190.00
16	Collectorate, South Goa	306.00	—	306.00
18	Jails	33.00	—	33.00
20	Printing and Stationery	20.00	—	20.00
21	Public Works	5913.36	*13.20*	5926.56
25	Home Guards and Civil Defence	8.98	—	8.98
26	Fire and Emergency Services	108.00	—	108.00
28	Administrative Tribunal	8.00	—	8.00
35	Higher Education	1990.50	—	1990.50
36	Technical Education	110.00	—	110.00
37	Government Polytechnic, Panaji	26.70	—	26.70
40	Goa College of Engineering	100.00	—	100.00
44	Goa College of Art	26.00	—	26.00
46	Museum	7.75	—	7.75
47	Goa Medical College	150.00	—	150.00
48	Health Services	788.18	*0.20*	788.38
49	Institute of Psychiatry and Human Behaviour	130.00	—	130.00
50	Goa College of Pharmacy	8.50	—	8.50
52	Labour	59.74	—	59.74
54	Town and Country Planning	31.00	—	31.00
56	Information and Publicity	300.00	—	300.00
58	Women and Child Development	278.76	—	278.76
59	Factories and Boilers	12.50	—	12.50
60	Employment	15.24	—	15.24
64	Agriculture	426.00	—	426.00
65	Animal Husbandry and Veterinary Services	111.00	—	111.00
68	Forests	178.37	—	178.37

(Rs. in lakhs)

(1)	(2)	(3)	(4)	(5)
70	Civil Supplies	406.58	—	406.58
74	Water Resources	400.00	—	400.00
75	Planning, Statistics and Evaluation	400.00	—	400.00
76	Electricity	4000.00	—	4000.00
77	River Navigation	212.50	—	212.50
78	Tourism	790.00	—	790.00
80	Legal Metrology	20.00	—	20.00
82	Information Technology	1000.00	—	1000.00
83	Mines	42.40	—	42.40
	TOTAL	19311.21	*27.73*	19338.94

Statement of Objects and Reasons

The Supplementary Demands for Grants for the year 2009-2010 (Third Batch) was presented to the Legislative Assembly. This Bill is introduced in pursuance of Article 204 read with Article 205 of the Constitution of India to provide for appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa, to meet the expenditure on certain services, granted by the Legislative Assembly for those services.

Porvorim-Goa.
23rd March, 2010.

SHRI DIGAMBAR KAMAT
Finance Minister/Chief Minister

Assembly Hall,
Porvorim-Goa.
23rd March, 2010.

J. N. BRAGANZA
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution of India.

In pursuance of Article 207 of the Constitution of India, I, Dr. S. S. Sidhu, Governor of Goa, hereby recommend the introduction and consideration of the Goa Appropriation Bill, 2010, by the Legislative Assembly of Goa.

LA/LEGN/2010/3752

The following bill which was introduced in the Legislative Assembly of the State of Goa on 23rd March, 2010 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

———————

The Goa Municipalities (Amendment) Bill, 2010

(Bill No. 4 of 2010)

A

BILL

further to amend the Goa Municipalities Act, 1968 (Act 7 of 1969).

Be it enacted by the Legislative Assembly of Goa in the Sixty-first Year of the Republic of India, as follows:-

1. *Short title and commencement*.— (*1*) This Act may be called the Goa Municipalities (Amendment) Act, 2010.

(*2*) It shall come into force at once.

2. *Insertion of new section 13A*.— After section 13 of the Goa Municipalities Act, 1968 (Act 7 of 1969), the following section shall be inserted, namely:—

"13-A. *Use of electronic voting machine.*— Notwithstanding anything contained in this Act or the rules, the State Election Commission may put in use the electronic voting machine in lieu of ballot paper at an election in such manner as may be specified by it".

Statement of Objects and Reasons

The Bill seeks to insert new section 13A in the Goa Municipalities Act, 1968 (Act No.7 of 1969) so as to make provision for the use of electronic voting machine at an election to a Council.

This Bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa, JOAQUIM ALEMAO
8th March, 2010. Minister for Urban Development

Assembly Hall, J. N. BRAGANZA
Porvorim-Goa. Secretary to the Legislative
8th March, 2010. Assembly of Goa.

ANNEXURE

.....

Extract of section 13 of the Goa Municipalities Act, 1968

.....

13. *Manner of voting*.— (*1*) The voting at an election shall be by ballot, and no votes shall be received by proxy.

(*2*) A voter shall be entitled to one vote, which he may give to any one candidate.

———————

LA/LEGN/2010/3753

The following bill which was introduced in the Legislative Assembly of the State of Goa on 23rd March, 2010 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Animal Preservation (Amendment) Bill, 2010

(Bill No. 1 of 2010)

A

BILL

further to amend the Goa Animal Preservation Act, 1995 (Goa Act 7 of 1996).

Be it enacted by the Legislative Assembly of Goa in the Sixty-first Year of the Republic of India, as follows:-

1. *Short title and commencement.*— (*1*) This Act may be called the Goa Animal Preservation (Amendment) Act, 2010.

(*2*) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 6.*— For section 6 of the Goa Animal Preservation Act, 1995 (Goa Act No. 7 of 1996) (hereinafter referred to as the "principal Act"), the following section shall be substituted, namely:-

"6. *Power to enter, search and seize property without warrant.*— (*1*) The competent authority or any person authorized in writing in that behalf by the competent authority, if he has reason to believe that any offence is being or is about to be, or has been committed in any place under this Act, he may himself enter into at all reasonable times and search any premises, yard, building, conveyance or place; and in case of any resistance, break open any door and remove any obstacle to such entry.

(*2*) Every person in occupation of such premises, yard, building, conveyance or place shall allow the competent authority or the authorized person, such access to that place as may be necessary for the aforesaid purpose and shall answer to the best of his knowledge and belief, any question put to him by the competent authority or the authorized person, as the case may be, and shall furnish any document and/or thing which he is directed to furnish.

(*3*) The competent authority or any person authorized in writing in that behalf by the competent authority, may seize any Scheduled animal which he has reason to believe is unfit for slaughter and/or the carcass of such animal, tools, articles or conveyance and/or all such material objects if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or that such seizure is necessary to prevent commission of an offence under this Act.".

3. *Insertion of new sections 6A to 6C.*— After section 6 of the principal Act, the following sections shall be inserted, namely:—

"*6A.— Custody of seized property.*— (*1*) Where it is not practicable to immediately take possession or custody of any seized property, the competent authority or any person authorized in writing in that behalf by the competent authority, may serve on the owner or person in possession of such property, an order prohibiting him from removing, parting with and/or otherwise dealing with property except with the previous written permission of the competent authority or such officer as the case may be.

(*2*) Every property seized under this Act shall be forwarded without unnecessary delay to the place so designated by the competent authority.

(*3*) When any property has been seized and forwarded to the place of destination as designated by the competent authority, an inventory of such property shall be prepared before taking custody of such property thereof.

6B.— Seized property to be reported to the concerned Magistrate.— The competent

authority or the authorized person shall immediately report the seizure of any property to the nearest Magistrate and the Magistrate may make such order as he thinks fit towards the disposal of the property or the delivery of the property to the person entitled to the possession thereof.

6C.— Procedure as to perishable property seized under section 6.— If the Magistrate to whom seizure of property is reported, is of the opinion that the seized property is subject to speedy and natural decay, he may direct the competent authority to sell such property in such manner as it deems fit and to deposit the proceeds of the sale in the Court for the purpose of deciding the matter thereof.".

4. *Amendment of section 8.*— For section 8 of the principal Act, the following section shall be substituted, namely:—

"*8. Penalties.*— Whoever contravenes any of the provisions of this Act, shall, on conviction, be punished with imprisonment for a term which may extend to three years.".

5. *Amendment of section 9.*— In section 9 of the principal Act, for the word "cognizable", the words "cognizable and non-bailable" shall be substituted.

6. *Insertion of new section 9A.*— After section 9 of the principal Act, the following section shall be inserted namely:—

"*9A. Power to arrest without warrant.*— (*1*) The Competent Authority or any person authorized in writing in that behalf by the competent authority, or Police Officer, may, without orders from a Magistrate and without a warrant, arrest any person or persons against whom a reasonable suspicion exists of his having been concerned in any offence punishable with imprisonment under this Act.

(*2*) If any arrest is made by the competent authority and/or by the authorized person or Police Officer under this section then it shall without any unnecessary delay and subject to the provisions of this Act send the arrested person to the Officer-in-charge of the nearest Police Station.

(*3*) When any arrested person is sent to the Officer-in-Charge of the Police Station, the Officer shall prepare a formal arrest report and produce the arrested person before the Magistrate.

(*4*) No Police Officer shall detain in custody a person arrested without a warrant for a period exceeding twenty four hours without obtaining the orders of the Magistrate.".

Statements of Objects and Reasons

During the course of implementation of the Goa Animal Preservation Act, 1996 (Goa Act 7 of 1996) (hereinafter referred to as the "said Act"), numerous difficulties have cropped up. The said Act therefore requires amendment. The Bill seeks to amend section 6 of the said Act so as to empower the competent authority to enter, search and seize property without warrant. The Bill further seeks to insert new section 6A, 6B and 6C so as to provide for manner of disposal of seized property. The Bill also seeks to amend section 8 of the said Act so as to make provision regarding punishment on conviction to a period upto 3 years. The Bill also seeks to amend section 9 of the said Act so as to make offence under the said Act as cognizable and non-bailable. The Bill also seeks to insert new section 9A in the said Act so as to make provision for arrest of persons without warrant.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

Clause 1 of the Bill empowers the Government to appoint a date for bringing into force the Act by notification in the Official Gazette.

This delegation is of normal character.

Porvorim, Goa.
March, 2010.

RAVI S. NAIK
Hon'ble Minister for
Animal Husbandry

Assembly of Hall,
Porvorim, Goa.
March, 2010.

Secretary to the Legislative
Assembly of Goa.

LA/LEGN/2010/3754

The following bill which was introduced in the Legislative Assembly of the State of Goa on 23rd March, 2010 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Co-operative Societies (Amendment) Bill, 2010

(BILL No. 5 of 2010)

A

BILL

further to amend the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001).

Be it enacted by the Legislative Assembly of Goa in the Sixty-first Year of the Republic of India, as follows:-

1. *Short title and commencement*.— (*1*) This Act may be called the Goa Co-operative Societies (Amendment) Act, 2010.

(*2*) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 20*.— In section 20 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the "principal Act"), sub-section (*5*) shall be omitted.

3. *Insertion of new section 28A*.— After section 28 of the principal Act, the following section shall be inserted, namely:-

"28A. *Restrictions on holding of shares*.— In any society, no member other than the Government or any other society shall hold more than such portion of the total share capital of the society (in no case exceeding one-fifth thereof) as may be prescribed:

Provided that the Government may, by notification in the Official Gazette, specify in respect of any class of societies, a higher or lower maximum than one-fifth of the share capital.".

4. *Amendment of section 52*.— In section 52 of the principal Act, for clause (*b*), the following clause shall be substituted, namely:—

"(*b*) Not exceeding 20% shall be transferred to a deficit fund for meeting unforeseen deficits;".

5. *Amendment of section 59*.— In section 59 of the principal Act after sub-section (*6*), the following sub-section shall be inserted, namely:—

"(*6A*) The members of the committee set up by the board of directors or the board of directors, as the case may be, shall be jointly and severally responsible for the decisions taken by them during their term, relating to the business of the society. They shall be jointly and severally responsible for all the acts and omissions which are detrimental to the interest of the society. Every such member or director, shall execute a bond to that effect, within fifteen days of his assuming the office, in the form as specified by the Government by general or special order. The member or director who fails to execute such bond within specified period shall be deemed to have vacated his office:

Provided that before fixing any responsibility mentioned above, the

Registrar shall inspect the records of the society and decide as to whether the losses incurred by the society are on account of acts or omissions on the part of the members of the committee or of directors or on account of any natural calamity, accident or any circumstances beyond the control of such members or directors:

Provided further that any member of the committee or director of board of directors who does not agree with any of the resolution or decision of the committee or of board of directors, may express his dissenting opinion which shall be recorded in the proceedings of the meeting and such member or director shall not be held responsible for the decision embodied in such resolution/decision and/or for such acts or omissions committed by the committee or board of directors as per such resolution/decision. Such dissenting member or director, if he so desires may also communicate in writing his dissenting opinion to the Registrar within seven days from the date of such resolution/decision:

Provided also that any member or director who is not present for the meeting of the committee or board of directors in which the business of the society was transacted, and who has not subsequently confirmed the proceedings of that meeting, such member or director shall also not be held responsible for any of the business transacted in such meeting.".

6. *Amendment of section 76A.*— In section 76A of the principal Act, in sub-section (*1*), for the expression "undertake inspection of a society and authorise any person, by order in writing, to make an inspection", the expression "or of his own motion, by himself, or by a person duly authorised by him in writing in this behalf, undertake inspection" shall be substituted.

7. *Amendment of section 82.*— In section 82 of the principal Act, in sub-section (*2*), for the expression "The Registrar shall state in writing", the expression "The Registrar or the person authorised by him shall state in writing" shall be substituted.

8. *Amendment of section 114.*— In section 114 of the principal Act,—

(*a*) for sub-section (*2*), the following sub-section shall be substituted, namely:—

"(*2*) The Co-operative Tribunal shall consist of a President and an Additional President both of whom shall be appointed by the Government. Both, the President and the Additional President, shall have co-extensive powers and concurrent jurisdiction to deal with the cases filed in the Co-operative Tribunal. The Additional President shall decide such cases as are made over to him by the President.";

(*b*) in sub-section (*3*),—

(*i*) in clause (*a*), for the expression "the President of the Co-operative Tribunal", the expression "The President or the Additional President of the Co-operative Tribunal" shall be substituted;

(*ii*) clause (*b*) shall be omitted;

(*c*) in sub-section (*4*), for the words "the President of the Co-operative Tribunal", the words "the President or the Additional President of the Co-operative Tribunal" shall be substituted.

Statements of Objects and Reasons

The Bill seeks to amend section 20 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the "said Act") so as to unable any person or persons on whom all or any of the powers of the Registrar are conferred under section 4, to exercise the powers of the Registrar under sub-sections (*1*) and (*2*) of section 20 of the said Act.

The Bill seeks to insert a new section 28A in the said Act so as to restrict holding of

shares by members other than Government or any other society subject to relaxation to be granted by the Government with reference to class of societies as notified to the extent of one-fifth of the share capital.

The Bill seeks to amend section 52 of the said Act so as to provide that a sum not exceeding 20% of the net surplus shall be transferred to a deficit fund for meeting unforeseen deficits.

The Bill also seeks to amend section 59 of the said Act so as to hold members of the committee setup by the board of director or the board of directors as the case may be, responsible for the decision taken by them during their tenure.

The Bill also seeks to amend section 76A of the said Act so as to enable the Registrar to undertake inspection of a society on his own motion.

The Bill also seeks to amend section 114 of the said Act so as to provide for appointment of Additional President of the Co-operative Tribunal by the Government.

The Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum regarding Delegated Legislation

Clause 1 *(2)* of the Bill empowers the Government to appoint a date by notification in the Official Gazette, for bringing the provisions of the Act into force.

Clause 3 of the Bill empowers the Government to prescribe the limit of the total share capital of the society beyond which a member other than the Government or any other society shall not hold.

Clause 3 of the Bill also empowers the Government to notify higher or lower maximum than one-fifth of the share capital in respect of any class of any societies.

Clause 5 of the Bill empowers the Government to issue order specifying the form in which the bond to be executed by the member of the committee setup by the board of directors or director of the Board of Directors, as the case may be.

These delegations are of normal character.

Porvorim-Goa RAVI S. NAIK
19th March, 2010. Minister for Co-operation

Assembly Hall, J. N. BRAGANZA
Porvorim–Goa. Secretary to the Legislative
19th March, 2010. Assembly of Goa.

ANNEXURE

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Extract of section 20(5), 52(b), 76A (1), 82(2), 114(2) [(3)(a)] [(3)(b)] (4) of the Goa Co-operative Societies Act, 2001 as amended on 05-02-2009.

.....

20. *De-registration of the societies*.— (*5*) The powers of the Registrar under sub-section (*1*) and (*2*) shall not be exercised by any person or persons on whom all or any of the powers of the Registrar are conferred under section 4.

28A. A New insertion.

52(b). At least 20% shall be transferred to a deficit fund for meeting unforeseen deficits;

59(6A). A New insertion.

76A. *Enquiry and/or Inspection of societies*.— (*1*) The Registrar may, on the request made by the creditor or federal institution or not less than one third of the total number of members of the board of directors or not less than one fifth of the total number of members, of a society, undertake inspection of a society and authorize any person, by order in writing, to make an inspection and inquiry into the constitution, working and financial condition of such society and submit a report thereon.

82. *Power of the Registrar to order recovery of losses.*— (*2*) The Registrar shall state in writing the reason for its decision in respect of every disallowance or surcharge and a copy of such decision shall be served on the person against whom it is made in the manner laid down for the service of summons in the Code of Civil Procedure, 1908 (V of 1908):

Provided that the Registrar shall not pass any order of recovery under this section unless the person against whom any such order is passed had an opportunity of making a representation either by himself or through a counsel.

114. Goa Co-operative Tribunal—

"(2) The Co-operative Tribunal shall consist of three members to be appointed by the Government, one among whom shall be appointed as the President".,

"(3) (a) The President of the Co-operative Tribunal shall be a person who is qualified to be appointed as a District Judge or is or has been a Judicial Officer for a period of seven years or has held the post of the President of the Goa, Daman and Diu Co-operative Tribunal for a period of five years or is holding or has held the post of Registrar of Co-operative Societies for a period of not less than three years or has been a Secretary to the Government of Goa.

(*b*) Two other members of the Co-operative Tribunal shall be a person of ability, integrity and standing, and having adequate educational qualifications, knowledge, experience of at least five years in dealing with the problems relating to Co-operatives and/or persons having served in the Co-operative Department for a minimum period of twenty years and holding or held the post at least in Group 'A' Junior grade in Goa Civil Service for minimum period of five years.

(*iii*) in sub-section (*4*), for the words "President of the Administrative Tribunal", the words "President or Additional President of the Administrative Tribunal" shall be substituted.

Assembly Hall, Porvorim–Goa.
19th March, 2010.

J. N. BRAGANZA
Secretary to the Legislative Assembly of Goa.

LA/LEGN/2010/3755

The following bill which was introduced in the Legislative Assembly of the State of Goa on 23rd March, 2010 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

———————

The Goa Commission for Scheduled Castes and Scheduled Tribes Bill, 2010

(Bill No. 7 of 2010)

to provide for the establishment of the Goa Commission for Scheduled Castes and Scheduled Tribes to safeguard the interests of the Scheduled Castes and the Scheduled Tribes in the State of Goa and for matters connected therewith and incidental thereto.

Be it enacted by the Legislative Assembly of the State of Goa in the Sixty-first year of the Republic of India as follows:—

CHAPTER – I

Preliminary

1. *Short title, extent and commencement.*— (*1*) This Act may be called the Goa Commission for Scheduled Castes and Scheduled Tribes Act, 2010.

(*2*) It extends to the whole of the State of Goa.

(*3*) It shall come into force on such date as the Government may, by notification, in the Official Gazette, appoint.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(*a*) "Chairperson" means the Chairperson of the Goa Commission for Scheduled Castes and Scheduled Tribes appointed under section 5;

(*b*) "Commission" means the Goa Commission for Scheduled Castes and Scheduled Tribes constituted under section 3;

(c) "civil rights" means any right accruing to a person by reason of the abolition of untouchability by Article 17 of the Constitution of India;

(d) "disabilities" means those as provided in Article 15(2) of the Constitution of India;

(e) "Government" means the Government of Goa;

(f) "Notification" means a notification published in the Official Gazette of Goa and the word 'notified' shall be construed accordingly;

(g) "prescribed" means prescribed by rules made, by the Government under this Act;

(h) "Scheduled Castes and Scheduled Tribes" shall have the meanings assigned to them respectively under clauses (24) and (25) of Article 366 of the Constitution of India.

CHAPTER – II

Goa Commission for Scheduled Castes and Scheduled Tribes

3. *Constitution of the Goa Commission for Scheduled Castes and Scheduled Tribes*.— (*1*) The Government may, by notification, constitute a body to be known as the Goa Commission for Scheduled Castes and Scheduled Tribes to exercise the powers conferred on, and to perform the functions assigned to it by or under this Act.

(*2*) The Commission shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Act and rules made thereunder, to acquire, hold and dispose of property and to enter into contracts and shall in the said name sue and be sued.

(*3*) The Head quarters of the Commission shall be at Panaji and the Government may, by notification, specify such other place to be the Headquarters of the Commission as may be necessary from time to time.

4. *Meetings of the Commission*.— The Commission shall hold ordinary meetings at such places and at such intervals as the Chairperson may think fit for the transaction of any urgent business.

5. *Composition of the Commission*.— (*1*) The Commission shall consist of a eminent person of rank not less than Secretary to Government of India or person who has distinguished himself for working for welfare of Scheduled Tribes and Scheduled Castes or retired High Court Judge of ability, integrity and having outstanding record of selfless service to the cause of Justice; to be appointed by the Government as Chairperson of the Commission.

(*2*) The Director of Tribal Welfare shall be the Secretary and the Chief Executive Officer of the Commission.

6. *Term of Office and conditions of service of Chairperson*.— (*1*) Subject to the pleasure of the Government, the Chairperson shall unless otherwise disqualified, hold office for a term of three years from the date he assumes office or until he attain the age of sixty-five years whichever is earlier and shall be eligible for re-appointment for a second term.

(*2*) The Chairperson may by writing under his hand addressed to the Government resign from the office, but he shall continue in office till his resignation is accepted by the Government or his successor is appointed.

(*3*) The successor so appointed under sub-section (*2*) shall hold office for the remainder of the term of his predecessor or until he attains the age of sixty-five years, whichever is earlier.

(*4*) The Government may remove Chairperson from the office if he,—

(a) becomes an undischarged insolvent;

(b) is convicted and sentenced to imprisonment for an offence which in the opinion of the Government involves moral turpitude;

(c) becomes of unsound mind and stands so declare by a Competent Court;

(d) refuses to act or becomes incapable of acting;

(e) without obtaining leave of absence from the Government, absents himself from three consecutive meetings of the Commission;

(f) has in the opinion of the Government, so abused the position of the Chairperson as to render that person's continuance in office detrimental to the interest of Scheduled Castes and Scheduled Tribes in the State or in the Public interest:

Provided that no person shall be removed under this clause until that person has been given an opportunity of being heard in the matter.

7. *Appointment of officers and other employees of the Commission*.— (*1*) The Government may appoint such officers and employees as may be necessary for the efficient performance of the functions of the Commission.

(*2*) The Salaries and allowances payable to and other terms and conditions of service of the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

8. *Salaries and allowances to be paid out of grants.*— (1) The salaries and allowances payable to the Chairperson should be commensurate to the status and dignity of the office and the administrative expenses including salaries, allowances as determined by the Government.

(2) The officers and other employees referred to in section 7 shall be paid such salaries and allowances and pension out of the grants referred to in sub-section (*1*) of section 14 as prescribed.

9. *Procedure to be regulated by the Commission.*— (*1*) The Commission shall meet as and when necessary at such time and place as the Chairperson may think fit.

(*2*) The Commission shall regulate its own procedure.

(*3*) All orders and decisions of the Commission shall be authenticated by the signature of the Secretary or any other officer of the Commission authorized by the Chairperson in this behalf.

(*4*) The Commission shall have the power to requisition such information, document and such assistance as may be required from any Department of the Government for the effective implementation of the provisions of this Act.

CHAPTER – III

Powers and functions of the Commission

10. *Powers of the Commission.*— (1) The Commission shall, while performing its functions under section 11, have the powers of a Civil Court trying a suit and in particular, in respect of the following matters namely:-

(i) summoning and enforcing the attendance of any person from any part of the State and examining him on oath;

(ii) requiring the discovery and production of any document;

(iii) receiving evidence on affidavits;

(iv) requisitioning any public record or copy thereof from any Court or office;

(v) issuing Commissions for the examination of witnesses or documents; and

(*vi*) any other matter which may be prescribed.

(*2*) Any proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of section 192 and 228 of the Indian Penal Code, 1860 (Central Act 45 of 1860) and the Commission shall be deemed to be a Court for the purpose of section 195 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

11. *Functions of the Commission.*— (*1*) The Commission shall perform the following functions, namely:-

(a) inquire, suo motu or on a petition presented to it by a victim or by any person on his behalf, into complaint of:-

(*i*) violation of any rights provided in the Protection of Civil Rights Act, 1955 (Central Act 22 of 1955) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Central Act 33 of 1989) and rules framed thereon or abetment thereof;

(*ii*) negligence in the prevention of such violation, by a public servant;

(*iii*) inquire and recommend to the concerned disciplinary authority to initiate disciplinary action in cases where the Commission is of the view that any public servant has been grossly negligent or grossly indifferent in regard to the discharge of his duties in relation to the protection of the interests of the Scheduled Castes and the Scheduled Tribes;

(b) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes and the Scheduled Tribes under the Constitution of India or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;

(c) to evaluate the working of various safeguards and civil rights accruing to a person as stipulated in the Protection of Civil Rights Act, 1955 (Central Act 22 of 1955) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Central Act 33 of 1989) for the protection of Scheduled Castes and Scheduled Tribes and in laws and regulations and any other orders passed by the Union and Governments, to investigate and monitor all matters relating to safeguards provided for the Scheduled Castes and the Scheduled Tribes under the Constitution of India or under any other law;

(d) to make recommendations with a view to ensure effective implementation and enforcement of all safeguards under the Protection of Civil Rights Act, 1955 (Central Act 22 of 1955) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Central Act 33 of 1989) and other laws and the rules;

(e) to undertake a review of the implementation of the polices pursued by the Government with respect to the Scheduled Castes and Scheduled Tribes;

(f) to look into specific complaints regarding deprivation of rights and safeguards in the interest of the Scheduled Castes and Scheduled Tribes;

(g) to enquire into any unfair practice, take decision thereon and recommend to the Government the action to be taken in that matter;

(h) to spread literacy among various section of the society regarding the Protection of Civil Rights Act, 1955 (Central Act 22 of 1955) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Central Act 33 of 1989) and to promote awareness of the safeguards available for the protection of these rights through publications in the media, seminars and other available means;

(i) to conduct studies, research and analysis on the question of avoidance of discrimination against the Scheduled Castes and the Scheduled Tribes;

(j) to suggest appropriate legal and welfare measures in respect of Scheduled Castes and Scheduled Tribes to be undertaken by the Government;

(k) to discharge such other functions in relation to welfare, development and advancement of Scheduled Castes and Scheduled Tribes:—

(i) on receiving a written complaint from any Scheduled Caste and Scheduled Tribe women alleging that she has been subjected to any unfair practice or on a similar complaint from her mother or father or sister or brother or from any organization;

(ii) to cause investigations or inquiries to be made by the Director of Tribal Welfare on issues of importance concerning Scheduled Castes and Scheduled Tribes particularly SC/ST women and issues concerning unfair practice and to report thereon to the Government on the corrective measures to be taken;

(l) the monitoring of the working of laws in force concerning the Scheduled Castes and the Scheduled Tribes women with a view to identifying the areas where the enforcement of laws is not adequately effective or has not been streamlined and recommending executive or legislative measures to be taken;

(m) to invite one or more prominent persons to participate in the meetings of the Commission to advise on such matters as may be necessary;

(n) to encourage the efforts of non--governmental organizations and institutions working in the field of human rights and for the upliftment and betterment of Scheduled Castes and Scheduled Tribes;

(o) to make periodical reports at prescribed intervals to the Government;

(p) to exercise such other powers and perform such other functions as may

be conferred or enjoined upon it by this Act or the Rules made thereunder; and

(q) the recommendations of National Commission for Scheduled Castes and Scheduled Tribes will prevail in case of conflicting recommendations on the same issue by the Goa Commission for Scheduled Castes and Scheduled Tribes and the National Commission for Scheduled Castes and Scheduled Tribes.

12. *Annual Report.*— The Commission shall prepare once in every year, in such form and at such time as may be prescribed, an Annual Report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Government and the Government shall cause the same to be laid before the Legislative Assembly of the State alongwith a Memorandum explaining the action taken or proposed to be taken on its recommendations and the reasons for the non acceptance, if any of such recommendations.

CHAPTER – IV

Finance, Accounts and Audit

13. *Accounts and Audit.*— (*1*) The Commission shall maintain proper accounts of income and expenditure of the Commission and other relevant records and prepare an annual statement of accounts in such form and in such manner as may be prescribed.

(*2*) The accounts of the Commission shall be audited by such authority at such times and in such manner as may be prescribed.

(*3*) The Government shall cause the audit report to be laid as soon as may be after it is received before Legislative Assembly.

(*4*) The Government may, after perusal of the report of the auditor given such directions, as it thinks fit to the Commission and the Commission shall comply with such directions.

14. *Grants by the Government.*— (*1*) The Government shall, after due appropriation made by the Legislative Assembly by law in this behalf, pay to the Commission by way of grants such sums of money as the Government may think fit for being utilized for the purposes of this Act.

(*2*) The Commission may spend such sums as it thinks fit for performing the functions under this Act and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (*1*) thereof.

15. *Protection for actions taken in good faith.*— No suit, prosecution or other proceedings shall lie against the Government or this Commission or any officer of Government or Secretary or Officer or other employees of the Commission or any public servant for anything done or in good faith purporting to be done under this Act or the rules made thereunder.

CHAPTER – V

Miscellaneous

16. *Constitution of Cells.*— The Government may, on the recommendations of the Commission, establish a library, an Information Cell, Research Cell or such other Cells as may be necessary from time to time.

17. *Chairperson and other employees to be public servants.*— The Chairperson and employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860).

18. *Power to make rules.*— The Government may, by notification, make rules for carrying out all or any of the purposes of this Act.

19. *Power to remove difficulties.*— (*1*) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, publish in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Act.

(*2*) Every order made under this section shall be laid as soon as may be after it is made, before the Legislative Assembly.

Statements of Objects and Reasons

To provide for the establishment of the "Goa Commission for Scheduled Castes and Scheduled Tribes" to safeguard the interests of the Scheduled Castes and Scheduled Tribes in the State of Goa and for the matters connected therewith.

This Bill seeks to achieve the above object.

Financial Memorandum

The creation of new establishment called "Goa Commission for Scheduled Castes and Scheduled Tribes" is proposed to be implemented by the Department of Tribal Welfare. In terms of clause 14 and 8 of the Bill, financial implications are involved towards payment of salaries and allowances of the staff and other administrative expenses of the Commission. Besides, depending upon schemes to be formulated from time to time, financial implications will be involved for release of grants/loans/subsidies etc. However, presently it may not be possible to exactly quantify the financial implications in this regard.

Memorandum Regarding Delegated Legislation

Clause 3 of the Bill empowers the Government to constitute a body known as Goa Commission for Scheduled Castes and Scheduled Tribes by way of notification.

Clause 5 of the Bill empowers the Government to appoint Chairperson of the Commission.

Clause 7 of the Bill empowers the Government to appoint officers and employees for the efficient performance and functions of the Commission.

Clause 10 of the Bill empowers the Commission with the powers of a Civil Court.

Clause 14 of the Bill empowers the Government to provide funds to the Commission by way of grants.

Clause 16 of the Bill empowers the Government to establish a library, an Information Cell, Research Cell or such other Cells on recommendation of the Commission.

Clause 18 of the Bill empowers the Government to make rules for carrying out all or any other purposes under this Act.

These delegations are of normal character.

Porvorim, Goa.
19th March, 2010.

R. M. DHAVLIKAR
Hon'ble Minister for
Social Welfare.

Assembly of Hall,
Porvorim, Goa.
19th March, 2010.

J. N. BRAGANZA
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution

In pursuance of Article 207 of the Constitution of India, I, Dr. Shivinder Singh Sidhu, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Commission for Scheduled Castes and Scheduled Tribes Bill, 2010, by the Legislative Assembly of Goa.

Raj Bhavan. DR. S. S. SIDHU
Date: 19-3-2010. His Excellency, Governor of Goa.

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LA/LEGN/2010/3756

The following bill which was introduced in the Legislative Assembly of the State of Goa on 23rd March, 2010 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

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The Goa Administrative Tribunal (Amendment) Bill, 2010

(Bill No. 6 of 2010)

A

BILL

further to amend the Goa Administrative Tribunal Act, 1965 (Act No. 6 of 1965).

Be it enacted by the Legislative Assembly of the State of Goa in the Sixty-first Year of the Republic of India, as follows:–

1. *Short title and commencement*.— (*1*) This Act may be called the Goa Administrative Tribunal (Amendment) Act, 2010.

(*2*) It shall come into force at once.

2. *Amendment of section 3*.— In section 3 of the Goa Administrative Tribunal Act, 1965, (Act 6 of 1965), after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*4*) The President and the Additional President shall hold office until they attain the age of sixty five years.".

Statement of Objects and Reasons

The Goa Administrative Tribunal Act, 1965 (Act No. 6 of 1965) (hereinafter referred to as the "said Act"), does not specify the retirement age for the President and the Additional President of the Administrative Tribunal.

The Bill seeks to insert a new sub-section (*4*) in section 3 of the said Act so as to fix maximum age upto which the President and the Additional President of the Administrative Tribunal shall hold office.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim, Goa. SHRI DIGAMBER KAMAT
Dated: 22-03-2010. Chief Minister/Law Minister

Assembly Hall, J. N. BRAGANZA
Porvorim, Goa. Secretary (Legislature)
Dated: 22-03-2010.

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ANNEXURE

Section 3. *Constitution of Tribunal*.— (1) The State Government shall, by notification in the Official Gazette, constitute for each district of the State, a Tribunal to exercise the jurisdiction, perform the

functions and discharge the duties entrusted to it by or under this Act or any other law for the time being in force.

(2) Each Tribunal shall consist of a President and an Additional President, as the State Government may deem fit. Both, the President as well as the Additional President, shall have co-extensive powers and concurrent jurisdiction to deal with cases filed in the Tribunals. The Additional President shall decide such cases as are made over to him by the President.

(3) The qualifications for a person to be appointed as President or Additional President shall be such may be prescribed:

Provided that the President and the Additional President shall be persons who have such legal qualification or experience as may be prescribed.

Assembly Hall,
Porvorim, Goa.
Dated: 22-03-2010.

J.N. BRAGANZA
Secretary (Legislature)

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Department of Law & Judiciary

Legal Affairs Division

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Notification

10/1/2009-LA/46

The Appropriation (Railways) No. 3 Act, 2009 (Central Act No. 29 of 2009), which has been passed by Parliament and assented to by the President of India on 15-7-2009 and published in the Gazette of India, Extraordinary, Part II, section 1 dated 16-7-2009, is hereby published for general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 2nd March, 2010.

THE APPROPRIATION (RAILWAYS) No. 3 ACT, 2009

AN

ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 2009-10 for purposes of Railways.

Be it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. *Short title*.— This Act may be called the Appropriation (Railways) No. 3 Act, 2009.

2. *Issue of Rs. 167325,88,31,000 out of the Consolidated Fund of India for the financial year 2009-2010*.— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Appropriation (Railways) Vote on Account Act, 2009] to the sum of one lakh sixty-seven thousand three hundred twenty-five crores eighty--eight lakhs and thirty-one thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2009-2010, in respect of the services relating to Railways specified in column 2 of the Schedule. 15 of 2009.

3. *Appropriation*.— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(*See* sections 2 and 3)

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Railway Board	189,98,47,000	...	189,98,47,000
2	Miscellaneous Expenditure (General)	579,76,48,000	...	579,76,48,000
3	General Superintendence and Services on Railways	4405,81,10,000	*1,48,000*	4405,82,58,000
4	Repairs and Maintenance of Permanent Way and Works	6908,95,44,000	*44,00,000*	6909,39,44,000
5	Repairs and Maintenance of Motive Power	3306,66,63,000	...	3306,66,63,000
6	Repairs and Maintenance of Carriages and Wagons	7425,45,47,000	*6,00,000*	7425,51,47,000
7	Repairs and Maintenance of Plant and Equipment	4009,80,20,000	*6,30,000*	4009,86,50,000
8	Operating Expenses—Rolling Stock and Equipment	5262,59,21,000	*87,000*	5262,60,08,000
9	Operating Expenses—Traffic	11181,65,72,000	*18,05,000*	11181,83,77,000
10	Operating Expenses—Fuel	14713,18,52,000	...	14713,18,52,000
11	Staff Welfare and Amenities	3180,32,92,000	*65,50,000*	3180,98,42,000
12	Miscellaneous Working Expenses	3157,64,58,000	*82,30,28,000*	3239,94,86,000
13	Provident Fund, Pension and Other Retirement Benefits	14265,29,41,000	*69,48,000*	14265,98,89,000
14	Appropriation to Funds	21417,26,00,000	...	21417,26,00,000
15	Dividend to General Revenues, Repayment of loans taken from General Revenues and Amortization of Over-Capitalization	5479,22,00,000	...	5479,22,00,000
16	Assets—Acquisition, Construction and Replacement			
	Revenue	59,98,00,000	2,00,000	60,00,00,000
	Other Expenditure			
	Capital	43202,76,20,000	*45,52,00,000*	43248,28,20,000
	Railway Funds	16983,14,00,000	*8,06,00,000*	16991,20,00,000
	Railway Safety Fund	1456,88,00,000	*1,48,00,000*	1458,36,00,000
	Total	167186,38,35,000	*139,49,96,000*	167325,88,31,000

Department of Legal Metrology

Office of the Controller, Legal Metrology

Notification

1/10/08-CLM

The following draft rules which are proposed to be made so as to further amend the Goa Standards of Weights and Measures (Enforcement) Rules, 1987, are hereby pre--published as required by sub-section (*4*) of Section 72 of the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985), for information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of 45 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft rules may be forwarded to the Controller, Department of Legal Metrology, Government of Goa, Panaji, before the expiry of 45 days from the date of publication of this Notification in the Official Gazette, so that same may be taken into consideration at the time of finalization of the draft rules.

DRAFT RULES

In exercise of the powers conferred by sub-sections (*1*) and (*2*) of section 72 of the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985), and after consultation with the Central Government, the Government of Goa, hereby makes the following rules so as to further amend the Goa Standards of Weights & Measures (Enforcement) Rules, 1987, namely:—

1. *Short title and commencement*.— (*1*) These rules may be called the Goa Standards of Weights and Measures (Enforcement) Rules, 2010.

(*2*) They shall come in to force from the date of their publication in the Official Gazette.

2. *Amendment of rule 20*.— In sub-rule (*1*) of rule 20 of the Goa Standards of Weights & Measures (Enforcement) Rules, 1987, for clause (*a*), the following clause shall be substituted, namely:–

"(*a*) is a graduate of a recognized University in Science (with Physics as one of the subjects), technology or engineering, or holds a recognized diploma in engineering with 3 years professional experience; and".

By order and in the name of the Governor of Goa.

N. M. Naik, Controller & ex officio Under Secretary (Legal Metrology).

Panaji, 15th March, 2010.

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Department of Personnel

Notification

1/4/83-PER (Pt.III)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'B', Gazetted, Non-Ministerial posts,

in the Water Resources Department, Government of Goa, namely:—

1. *Short title, application and commencement.*— *(1)* These rules may be called the Government of Goa, Water Resources Department, Group 'B' Gazetted, Non--Ministerial posts, Recruitment Rules, 2010.

(*2*) They shall apply to the posts specified in column *(2)* of the Schedule to these rules (hereinafter called as the "said Schedule").

(*3*) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scale of pay.*— The number of posts, classification of the said posts and the scale of pay attached thereto shall be as specified in columns *(3)* to *(5)* of the said Schedule:

Provided that the Government may vary the number of posts specified in column *(3*) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns (6) to (14) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

These rules are issued in consultation with the Goa Public Service Commission conveyed vide its letter No. COM/II/13/27(4)/91/415 dated 19-3-2010.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 22nd March, 2010.

SCHEDULE

Serial No.	Name/ Designation of Post	Number of Posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation/ /transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ /deputation/ /transfer, grades from which promotion/ /deputation/ /transfer is to be made	If a D.P.C. exists, what is its composition	Circumstances in which the Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
1.	Water Management Specialist.	01 (2010) Subject to variation dependent on workload.	Goa General Service, Group 'B' Gazetted.	PB-2 Rs. 9300--34800 + Grade pay Rs. 4200.	Selection.	N. A.	N. A.	N. A.	N. A.	N. A.	By transfer on deputation.	*Transfer on deputation:–* From the Directorate of Agriculture of this State. Agricultural Officer or Assistant Agricultural Officer with 3 years regular service in the Grade and possessing degree in Agriculture from a recognized Agriculture University or a total of 8 years inclusive of service as Assistant Agricultural Officer, Grade II Extension Officer, Agricultural Composed Inspector, Grade Assistant Demonstrator (Male), Soil Survey and possessing degree in Agriculture from a recognized University or equivalent.	N. A.	Consultation with the Goa Public Service Commission is necessary for making selection of an officer for appointment on deputation and for amending/relaxing any of the provisions of these rules.

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
2.	Soil Survey In-charge.	01 (2010) Subject to variation depen-dent on work-load.	Goa General Service, Group 'B' Gazet-ted.	PB-2 Rs. 9300--34800 + Grade pay Rs. 4200.	Selec-tion.	N. A.	N. A.	N. A.	N. A.	N. A.	By transfer on deputation	*Transfer on deputation:-* From the Directorate of Agriculture of this State. Agricultural Officer or Assistant Agricultural Officer with 3 years regular service in the grade and possessing degree in Agriculture from a recognized Agriculture University or a total of 8 years inclusive of service as Assistant Agricultural Officer, Grade II Extension Officer, Agricultural Composed Inspector, Grade Assis-tant Demonstrator (Male), Soil Survey and possessing Degree in Agriculture from a recognized University or equivalent.	N. A.	Consultation with the Goa Public Service Commission is necessary for making selection of an officer for appointment on deputation and for amending/relaxing any of the pro-visions of these rules.
3.	Credit In-charge	01 (2010) Subject to variation depen-dent on work-load.	Goa General service, Group 'B' Gazet-ted.	PB-2 Rs. 9300--34800 + Grade pay Rs. 4200.	Selec-tion.	N. A.	N. A.	N. A.	N. A.	N. A.	By transfer on deputation.	*By deputation:-* Officer from the Depart-ment/Office of the Registrar of Co--operative Societies of this State: a) (i) Assistant Registrar or ii) With 3 years service in the post in the pay scale of Rs. 9300--34800 + Grade pay Rs. 4600/-. b) And possessing degree in Co-mmerce or Eco-nomics of a recognized University.	N. A.	Consultation with the Goa Public Service Commission is necessary for making selection of an officer for appointment on deputation and for amending/relaxing any of the pro-visions of these rules.

Department of Power

Office of the Chief Electrical Engineer

Notification

CEE/Accts-375/6186

Sub:- "One Time Settlement" (OTS) Scheme.

Read:- 1. Notification No. CEE/Accts--375/4488, dated 13-1-2009.
2. Notification No. CEE/Accts--375/1327, dated 19-6-2009.
3. Notification No. CEE/Accts--375/3088, dated 16-9-2009.

Under the "One Time Settlement (OTS) Scheme", the Government of Goa is pleased to extend the eligibility criteria as on 31-10-2009 and the validity period upto 31-8-2010, towards the electricity consumers in order to avail the benefits of the said Scheme. The other terms and conditions are as stipulated in the Scheme vide Notification referred at No. 1 above and published in the Official Gazette, Government of Goa, Series I No. 42, dated 15-1-2009 (Pausa 25, 1930).

By order and in the name of the Governor of Goa.

Nirmal Braganza, ex officio Additional Secretary.

Panaji, 19th March, 2010.

Department of Social Welfare

Directorate of Social Welfare

Notification

DSW/STAT/WTG/51/09-10

Government of Goa is pleased to make the following Scheme and is hereby published for general information of public, which shall come into force with the date of publication in the Official Gazette.

By order and in the name of the Governor of Goa.

N. B. Narvekar, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 11th March, 2010.

"Providing Water Storage Tanks" to Gouly (Dhangars)

Objective.— The objective of the Scheme is to provide water storage tanks of 500 ltr. capacity for human consumption as well as for cattle rearing in hilly areas.

Details of the Scheme.— There is sizeable Gouly (Dhangar) population living in remote areas of Goa where there is shortage of drinking water and water if available, the storage facility is not available.

Eligibility.— The Gouly (Dhangar) families who are notified as OBCs and do not have water storage tanks and also whose income is less than Rs. 1.50 lakh per annum are eligible to avail the benefits under this Scheme.

Mode of Application.— The application is to be made in the prescribed form (appended to this Scheme as Annexure-I). The application form shall be submitted through the Secretary of the concerned Village Panchayat and after obtaining verification report in this regard the Sarpanch will forward the same duly recommended, to the Block Development Officer, who in turn shall submit the application to the Directorate of Social Welfare for sanction and supply of Water Tanks.

Application for availing Water Storage Tank to Gouly (Dhangar)

To
The Sarpanch,
Village Panchayat of
.....

Sir/Madam,

I wish to avail water storage tank to my house No. at under the Scheme providing "Water Storage Tank to Gouly (Dhangar)".

The following are my details for availing Water Storage Tank:

1. Name of the Head of the household:
2. Sex (Male/Female):
3. Address:
4. Total number of families in the family:

5. Whether the House is Pucca/Kuccha:
6. Whether Tap water facilities are available in the House – Yes/No:
7. Whether Water storage facilities are available in the House – Yes/No. If yes, give details:
8. Other details which applicant may like to state:

Documents attached:

1. Copy of Ration Card.
2. Copy of Caste Certificate.
3. Family Income Certificate duly issued by Competent Authority.

Signature of the applicant:

Report of Sarpanch:

Remarks of B.D.O.:

———————

UNDERTAKING FROM APPLICANT UNDER SCHEME PROVIDING "WATER STORAGE TANK"

I do not possess water storage tank to my house. If I am supplied water storage tank under providing "Water Storage Tank" to my house, I will not sell or mortgage water storage tank.

Signature of the applicant

————————

Notification

50-305-2009-10-HC

Government of Goa is pleased to make the following Scheme and is hereby published for general information of public, which shall come into force with the date of publication in the Official Gazette.

By order and in the name of the Governor of Goa.

N. B. Narvekar, Director & Joint Secretary (Social Welfare).

Panaji, 8th March, 2010.

———————

Voluntary Retirement Scheme for Government Employees who are Parents of Persons with Disabilities

A. *Objective of the Scheme*.— The Scheme proposes to provide the facility of a Special Voluntary Retirement Scheme (SVRS) to the parents of persons with disabilities with the basic objective of providing timely care and support to such persons.

B. *Details of the Scheme*.— Any State Government employee who has completed ten years of qualifying service or more may seek Voluntary Retirement by a written request to the appointing authority. The terminal payment available to an employee who seeks voluntary retirement under this Scheme would be:—

(*a*) The balance in his/her Provident Fund Account with interest accrued thereon as per existing rules;

(*b*) Cash equivalent to accumulated earned leave as per existing rules;

(*c*) Pension and gratuity as per Pension Act considering that the employee has worked for 33 years of service or the actual period of service which he would have otherwise put in up to the maximum age of retirement, whichever is less.

(*d*) Over and above that, an employee who has more than 5 years of service left would get:—

(*i*) 20 days salary for each completed year of service for the first 20 years of service rendered. For 20 to 25 years of service he/she would be entitled to 400 days+(16 days' salary per completed years of service). For 25 years or more years of service he/she would get 480 days+(12 days' salary per completed year of service exceeding 25 years of service).

(*ii*) Pensionary benefits after adding 8 years of service to the actual number of completed years of service put in subject to a maximum of 33 years or the age of superannuation, whichever is earlier.

(*e*) An employee who has 5 years or less than 5 years of service left would get the following additional benefits:—

Years of service left	Additional benefits
4 or more but less than or equal to 5	(i) 30% of the balance salary receivable on the basis of the average salary received during the last 10 months preceding the month of application and (ii) Additional 8 years of service for calculation of pensionary benefits (subject to a maximum of 33 years of service, or the age of superannuation, whichever is earlier).
3 or more years left but less than 4	(i) 33% of the balance salary (subject to a maximum of 120% of existing annual salary) receivable on the basis of the average salary received during the last 10 months of service preceding the month of application of VRS and (ii) 6 additional years of service for calculation of pensionary benefits (subject to a maximum of 33 years of service, or the age of superannuation, whichever is earlier).
2 or more years left but less than 3	(i) 36% of the balance salary (subject to a maximum of 99% of existing annual salary) receivable on the basis of the average salary received during the last 10 months of service preceding the month of application of VRS and (ii) 4 additional years of service for calculation of pensionary benefits (subject to a maximum of 33 years of service, or the age of superannuation, whichever is earlier).
1 or more years left but less than 2	(i) 39% of the balance salary (subject to a maximum of 72% of existing annual salary) receivable on the basis of the average salary received during the last 10 months of service preceding the month of application of VRS and (ii) 2 additional years of service for calculation of pensionary benefits (subject to a maximum of 33 years of service, or the age of superannuation, whichever is earlier).
Less than 1 year left	(i) 42% of the balance salary (subject to a maximum of 39% of existing annual salary) receivable on the basis of the average salary received during the last 10 months of service preceding the month of application of VRS and (ii) 1 additional year of service for calculation of pensionary benefits (subject to a maximum of 33 years of service, or the age of superannuation, whichever is earlier).

C. *Eligibility Conditions*.— (*1*) The parents of the persons with disability level of 90% and above only shall be eligible for the Scheme.

(*2*) Only either parent shall be eligible to avail the benefit.

(*3*) The parents have to produce a Disability Certificate of the child issued by Medical Board from Goa Medical College, Bambolim or Asilo Hospital, Mapusa or Hospicio Hospital, Margao or IPHB, Bambolim.

D. *Application Procedure*.— The application under the Scheme shall be forwarded by Head of Office through the concerned Appointing Authority. The Appointing Authority shall forward the application with his/her recommendation to the Director of Social Welfare Department.

Acceptance or refusal of the application for special voluntary retirement made by an employee will be examined by a committee constituted by the Government for the purpose of this Scheme, which will also take into consideration the recommendation of the concerned appointing Authority.

The committee shall consist of the following:—

1. Special Secretary (Personnel) Chairman
2. Head of concerned Department Member
3. Joint Secretary (Finance, Rev. & Exp.) Member
4. Director of Social Welfare Member Secretary

The decision of the committee shall be conveyed to the concerned Department by the Director of Social Welfare.

E. *Budgetary Provision*.— Directorate of Accounts shall make necessary provision of funds from Central Pension Pool for implementation of the Scheme.

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Notification

50-307-2009-10-HC

Government of Goa is pleased to amend and notify rules regulating the grant of financial assistance under "Goa Dayanand Social Security Scheme".

1. *Short title, commencement and applicability*.— (*i*) These Rules shall be called "Goa Dayanand Social Security Scheme (Amendment), Rules, 2010".

(*ii*) They shall come into force with effect from the date of publication in the Official Gazette.

(*iii*) They shall be applicable throughout the State of Goa.

2. *Amendment to Rule 4*.— In Rule 4(c) at sub-rule (*v*), the following words, letters and figures shall be added "The Persons with Disabilities having disability to the extent of 90% and above shall be entitled for financial assistance at the rate of Rs. 3000/- per month."

By order and in the name of the Governor of Goa.

N. B. Narvekar, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 4th February, 2010.

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Department of Women & Child Development

Directorate of Women & Child Development

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Addendum

2-98-2008/DW&CD/ICDS(2)/843

Read: Notification No. 2-98-2008/DW&CD/ /ICDS(2)/889 dated 6-8-2009.

Amendment to the Retirement Benefit Scheme for Anganwadi Workers/Helpers

The following proviso to clause 8 of the Retirement Benefit Scheme 2009 shall be added:

"The AWWs/AWHs who have or will be retiring at the age of 60 years in the Financial year 2009-10 and have served minimum of 15 years of services under the Scheme shall also be paid an amount of Rs. 1.00 lakh (Rs. One lakh only) and Rs. 50,000/- (Rs. Fifty thousand only) respectively and the AWWs and AWHs who have attained the age of 60 years or will be retiring in the Financial Year 2009-10 and rendered service less than 15 years but above 10 years shall be paid an amount of Rs. 50,000/- (Rs. Fifty thousand only) and Rs. 25,000/- (Rs. Twenty Five thousand only) respectively under this Scheme".

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Director of Women & Child Development & ex officio Joint Secretary.

Panaji, 11th March, 2010.

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Government Printing Press

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